

1883-010

Lee

Chancery Causes: Evan Cloud for &c vs. B. F. Cloud &c

Wheeler, Ball, Wheeler & Ball, &ly

CA-Debt

T-Property

To the Hon. John A. Kelly Judge of the Circuit Court
of Lee County Virginia

Your Orator Evan Bland who lives for the benefit of
James M. Wheeler and Moses S. Ball merchants and partners
in trade under the firm name of Wheeler & Ball humbly com-
plaining respectfully sheweth unto your Honor, that one George
W. Bland now dead, in his lifetime to wit on the 30th day
of Sept^r 1860 executed to your Orator his bond under Seal
which is herewith filed as a part of this bill marked (A)
by which he undertook and agreed to pay your Orator aga-
inst the 25th day of December 1863 the sum of One hundred
and ninety dollars for value received. On the 1st day of
January 1860 the said George W. Bland paid to your Orator the
sum of \$42.04 and on the 15th day of Oct 1869 he paid the
further sum of \$120.00 thereon, both which sums are credited
on the back of said Bond. And subject to these two credits, the
balance on said bond is now due and owing to your Orator
for the benefit of Wheeler & Ball as before stated, no other or further
sums or sums having been paid thereon by the said George W.

Bland in his lifetime or by his adm^r. or heirs since his death
either to your Orator or Wheeler & Ball or to G. B. Bland.

Your Orator further states that for value received he transferred
by simple delivery said bond with the balance due thereon
to one G. B. Bland who on the 2nd day of September 1875 by
a writing on the back of said bond assigned the same to the
said Wheeler & Ball as will be seen by reference thereto.

Your Orator further States that said bond was executed to him by said George W. Bland for the purchase price of a tract of land lying in Claiborne County Tennessee the legal title to which was conveyed by your Orator to said Bland at the time of the sale thereof to him.

Your Orator further States that after said two payments were made as before Stated. to wit on the day of 18 the said George W. Bland died intestate leaving a widow ^{Eliza Bland} and the following heirs at law to wit. B. F. Bland, John Bland, Alexander Bland and George Bland to whom the legal title to said ^{land} descended. Your Orator further States that on the

day of 18 the said George Bland departed this life intestate leaving a widow and four children his heirs at law. but the names of his widow and heirs at law are unknown to your Orator. they are however now residents of the State of Virginia and his children are all minors being under 21 years of age.

Your Orator further States that the estate of said George W. Bland dead ~~has been~~ by the county court of Lee County committed for administration to the hands of Thomas S. Ely, High Sheriff of the county of Lee, And your Orator charges that said George W. Bland left no personal estate at his death out of which this or any other debt could be paid and that no property has come into the hands of said admr. with which to pay the same.

Your Orator further states that the only property owned by the said George W. Blund at his death, was the tract of land lying in Tennessee sold by your Orator to him and for which the land aforesaid was executed for the purchase price thereof. And your Orator here charges that said tract of land was sold by the said B.F. Blund John Blund and Alexander Blund his sons living in Lee County Va. And the proceeds thereof used by them respectively. And your Orator charges that the assets thus received by them from their fathers estate, was much more than is necessary to pay the balance due on said bond.

Your Orator further charges that as B.F. Blund John Blund and Alexander Blund received the estate of their ancestor the said Geo. W. Blund, that to the extent they thus received the assets of that estate, they are liable in a court of equity to pay the debts of their ancestor, and to compel them to pay the balance due on said bond is the object of this Suit. Your Orator therefore prays that Thomas S. Ely admr. of George W. Blund decd. and the said, B.F. Blund John Blund Alexander Blund & G. B. Blund the latter of whom is a non-resident of the State of Virginia be made parties defendant to this bill and be required to answer the statements thereof on oath, That an order of Publication be made Posted and published against the said G. B. Blund. That upon a hearing of the cause a decree be rendered against the admr. of said G.W. Blund decd. for the sum of \$190.00 with legal interest thereon from the 25th day of Decr. 1863 till paid and the costs, Subject to the credits before referred to. And that said B.F. John and Alexander

delekt

Pho costs

Dr.	Clark	\$8.84
"	Comm.	\$1.50
	Sherriff	\$10.34
	Printer	3.00
		5.00
		\$18.34

Defto casto

3 Clerk - \$4.03 1.00

Even Coland 1st.

13 F. Good John Good & others

1882, June 11 - Co. Publications

Feb. 11. Has been some days. 5. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 841. 842. 843. 844

Mar. - D. N. Conyde, Cr. Pub. cons. held

Mr. Lewis & Clark

11. *Myzobea* + *Conido*

No. " " "

1893. March & Oct. 1894

To The Honorable, John A. Kelly, Judge
of the Circuit Court of Lee County Va
The answer of B. H. Cloud, to a bill
filed in this, Honorable, Court, by Evan
Cloud who sues for the benefit of "Wheeler &
Ball", against this respondent, and others.

Respondent, for answer to said bill,
says he has seen and inspected the
note sued on, and to which his name
appears as a subscribing witness, and
after the lapse of years, he is unable
to say, with positiveness whether it
is his hand, write, or not nor can
he remember being called on as a
witness to said note, he can say
however that he had no power to
execute said note for his ancestor
George W. Cloud deceased, and if said
note is valid he or who ever signed
the same must have done so in
the presence of said George W. Cloud
deceased. He further states he has heard
Alexander M. Clouch answer to this
bill carefully read and adopts the
statements therein as his own, except
he admits he has sold his share of
said Zemus land and received the
price of \$75 therefor. He further

*He further states his ancestor George W. Cloud, could write and did write his own name, as this circumstance, leaves the respondent to believe said note was not written by him because, he fully believes he would have signed his name to it not having

states from all the facts & circumstances, he believes & therefore charges said note was executed in Tenn. And Respondent states, that there are three clouds who sign their names "B. F. Cloud" and this renders the matter more doubtful in his mind whether or not he is the proper man who drew & signed said note. He was then a young man being some 27 years of age and his hand has very much changed, and while he can not be positive he does not pretend to deny that it may be his hand - If so it has escaped his recollection. And having now fully answered he maps hence to be dismissed with his costs.

A L Ordmore
for deft.

Virginia Lee County to wit: -

This day B. F. Cloud personally appeared before me and made oath that the facts stated in the foregoing answer, as made upon his own knowledge are true, and as made upon this knowledge as obtained from others he believes them to be true. Given under my hand this Feby 11th 1882 J. A. Hyatt Clerk

B. F. Cloud

Adm. & Answer

Wheeler & Ball

Filed February 11th 1882.

J. A. Pratt
Clerk

To The Honorable John A. Kelly Judge
of the Circuit Court of Lee County Va
The Demurer and separate answer of
Alexander M. Cloud, to a bill filed in
this Honorable Court against him and others
by Eraw Cloud, who sues for the benefit
of "Wheelers Ball."

Respondent says said bill is not
sufficient in law and of this he prays
Judgement of the Court &c.

But if further answer be required of
him answering he says, he does not
know and therefore does not admit that
said note sued on is the note of his
ancestor George W. Cloud deceased. But up-
on the contrary he says it is not his
fathers hand write or signature, but if
it is his proper debt it must have been
signed by some one else; this respondent
therefore calls for strict proof of its
execution, before he should be liable therefor
Respondent, admits that the land in Term
a small tract descended to him and his co-heirs
properly named in the plffs bill, and which
is worth pr. share not exceeding \$75; and
your respondent still has his interest in
said land, This respondent is ^{being informed} ~~advised~~
and therefore alleges that said note was

executed in the State of Tennessee, where
said land lies and by the laws of that
state is as he is further advised bore by
the Statute of Limitations, which this re-
spondent here pleads, and claims the
benefit of. He is further advised that said
note is not under seal, as alleged by
the plffs but is un-sealed, and therefore
bore by the laws both of Tennessee or
Virginia and these laws he here pleads
and claims the full benefit of.

Respondent does not know said note
was executed for said land but be-
lieves that it was, if it be the land
note he has often heard his ancestor
say it was fully paid and that he had
a paper showing that fact, but of this
he knows nothing, nor does he admit
that the nominal plff ever sold and
transferred said note to G. B. M. Cloud but
he calls for full proof that said G. B. M.
Cloud had the right & property therein as
as to transfer to the plffs, -not admitting
any allegations of said bill, any further
than specified herein but denying them
each & every one, so far as they affect the
respondent; and having fully answered
them, he prays hence to be dismissed

with his oath.

A. L. Pridemore

Virginia Lee County to wit:

This day Alexander M. Cloud personally appeared before me and made oath that the facts stated in the foregoing bill so far as made upon his own knowledge are true and so far as made upon the information of others he believes them to be true. Given under my hand this Feb 6th 1882.

J. A. Hyatt Clerk

Alexander M. Leclerc

ack 3. Answer.

Evan Leclerc for

Filed Feby 6th 1882 Rule day
J. A. Hyatt
Clerk

Evan blood for ye.

Peff.

27.

Lucy

B. F. Island Bros Island & others. Defts

It appearing from a letter of J. M. Wheeler filed in the cause marked (AB) that the parties to the suit had adjusted and settled the matters involved in the suit, Pursuant to said letter It is adjudged ordered and decreed that the cause be stricken from the docket, and that each party pay their own costs. But this cause may be reinstated, on motion of any one of the defendants, as to the question of costs.

Evan Island for +.

or { Diom final

B.F. Island + ab.

Entered page 306.

J. A. Hyatt
clerk

Enter
J. A. K.
Mar 30 / 83

Virginia

At a Circuit Court Continued and held
for Lee County at the Court house thereof
on Tuesday September 5th 1882,
Evan Cloud for Wheeler & Ball. Plffs.

vs
B. F. Cloud, John Cloud et als. Defts. } In Chancery.

By Consent of parties this cause is referred
to John A. Hyatt who is hereby appointed a Comr.
for the purpose who will inquire & report upon the following subjects.

First — Whether the note sued on is a Tennessee or
Virginia Contract.

Second — Whether said note or bond is or was
a sealed or unsealed writing a specialty
or parole Contract.

Thirdly whether said writing is or was the deed
or was recognized as such by George W.
Cloud deceased.

Said Comr. will hear such evidence as the parties
may adduce, and reduce the same to writing
and return the same with his report on the
foregoing inquiries & the cause is continued.

A Copy Left —

J. A. Hyatt Clerk

Notice

I will proceed on the 10th day of November
1882 at my Office in Jonesville Lee Co Va
to execute the above Decree, at which time
all persons interested are requested to be
present, with such witnesses as they may
desire

October 24th 1882

J. A. Hyatt
Clerk

Evan Clond for to
3
Copy of Secru
& Notice

B. F. Clond et al

To 10th day Nov. 1882

Executed
Thos. S. Ely, S. L. E

Evan Bland for re. Jeff

vs

B.F. Bland John Bland & others Defts

} In Chy

On the motion of B.F. Bland & A.M. Bland leave is granted them to file their separate answers, and the same were accordingly filed and the plaintiff entered a general replication thereto and the cause is continued

B.F. + A.M. Bond

add } Order

Even Bond for

Entered Page 241

J. A. Hyatt Clerk

To be entered

Apr 1st / 1882

Evan Bland for &c.

Peff

vs.

In Chy

B F. Bland John Bland others Dftrs

By consent of parties this cause is referred to
John A. G. Hyatt - who is hereby appointed ^{a Court} for the
purpose who will enquire and report upon the following subjects

First whether the note sued on is a Tennessee or a
Virginia contract.

Second. Whether said note or bond is ^{was a} sealed or an
unsealed writing - a Specialty or Parole contract and
Thirdly Whether said writing is or was the deed, or was
recognised as such by Geo W. Bland deed.

Said Court will hear such evidence as the parties may
adduce and reduce the same to writing and return
the same, with his report on the foregoing enquiries &
the cause is continued.

Ewan Bland for

vs { Decree No 1

B F Bland for Bland vs

Entered Page 270.

J. A. Hyatt Clerk.

Enter this

In A.K.
Sept 7 82

Commissioners Office

Jonesville Va. March 14th 1883.

Evan Cloud for &c Deft.

vs

B. F. Cloud et al. Defts

In Chancery

The deposition of James M. Wheeler & others taken in the above styled cause, on the 14th day of March 1883, at the time of taking an account therein;—

The said J. M. Wheeler being duly sworn deposes and says,

About the time I purchased the note sued on, for the firm of "Wheeler & Ball," I, with G. W. Cloud, the then holder of the note, went and seen John Cloud, one of the defendants with reference to purchasing said note; and made inquiry concerning it, when the said John Cloud, the son of Geo. W. Cloud, used the obligor in said note, said to me that the note was all right and just, and that if I wanted to, I would do well to purchase it, that he would as soon I should own it, as anyone else; and that if I would wait until the next fall, he thought it would then be paid; and upon this assurance I thereupon traded for said note for the firm of "Wheeler & Ball,"

Some time before suit was brought upon said note, I came to Jonesville for the purpose of bringing suit there on, when I met the defendant B. F. Cloud on the streets in Jonesville and informed him what I intended to do, that I had the note with me and intended to sue if the matter was not settled, he the said B. F. Cloud entreated me not to sue, and said to me that if I would not, ^{isue} he would see all the other boys, and try to fix the matter up by the next Circuit Court. ~~and~~ upon this proposition I concluded not to sue at that time.

I know the fact that Geo. W. Cloud did live in Virginia and in Lee County 25 or 30 years prior to his death, and I remember the fact also that Evan Cloud the obligee in said note lived in this County during the years 1857-8 or 9, the exact time I do not recollect, but I distinctly remember of hiring him to drive hogs for me to Bristol one of those years, and I think it was in 1858. I also so remember of his working in the neighborhood of Walnut Hill in Lee County during the year 1860.

for I well remember to have sold
him goods during that year,
and I have found upon examina-
tion of the books kept by A. N. Brent
(now dead) an account kept by him
against said Ewan Cloud, com-
mencing in March 1860 and ending
in the following August, and
I now file herewith as a part of
my deposition the said account
marked "A. N." I am and was
well acquainted with the hand-
writing of said A. N. Brent, the
account just filed as a part of
my deposition I know to be in the
hand writing of said Brent
and I have taken said paper
from a book of accounts kept
in regular order by said
Brent. I also remember the fact
And further this witness saith not.
That the said Ewan Cloud, left
this County, some time during
the fall of 1860, and went to some
of the western States.

And further this witness saith not.

J. M. Wheeler

The foregoing depo was taken, sworn to and sub-
scribed before me, on the 14th March 1883. J. S. Hyatt Clerk

Evan Leland for to
w³ Depo-

B. F. Leland et al.

Filed, March 1883,

J. A. Hyatt
Clerk

Corroded. - \$1.75

1860 Walnut Hill Va
Tells Benjamin Robinson commenced
work Feb 18th at eight dollars & half
per month

1860 Walnut Hill Va
March Evan Cloud commenced work
March 10th at ten dollars per month

Ditto	Dr to one plug of tobacco	\$ 0 " 15-
Ditto	Dr to one plug of tobacco	0 " 15-
Ditto	Dr to one plug of tobacco	0 " 15-
Ditto 25 th	Dr to twenty five cents in cash	0 " 25-
Ditto 29 th	Dr to one plug of tobacco	0 " 15-
	Dr to a half days work first month	
April 4 th	Dr to one plug of tobacco	0 " 15-
April 7 th	Dr to Cloth for pants & smocking	
	The same	0 " 25-
April 22 nd	Dr to cash 25 cents.	0 " 25-
	Dr to two plugs of tobacco	0 " 50-
	per W E Colson.	

April 27th Dr to half days work
May 7th Dr to one note on Andrew Brooks
Principle \$ 5.19. to. bond. 17 months \$ 5.89

May 11th Dr to one days work Saturdays
May 13th Dr to two days & a half work
going to Foywell at Court.

May 18th Dr to Cash two dollars & a half 2.50
May 27th Dr to cash 16 cts 0.16
May 29. Dr to one sup hat for 8.75

Evan Cloud quit work. June
The second day on Saturday to go
to Ky.

June 5th Dr to 1 pair of shoes 1.66
to one dollar in cash 1.00
to one plug of tobacco 25-

~~also to one note on William Richardson
for \$ 4.40 cts~~

for work two months \$ 19.45
25.83

\$ 16 Days \$ 27.72
Loss 4 1/2 days \$ 1.89
\$ 25.83
2.00
to Cash 4.38

The above account settled August 1860

1860 Walnut Hill Va

Feb. 21 Levi Carmack Dr

to 18 lbs of Bacon

\$1.80

Dr to our note for \$7.50

7.50

Cr By 13 days work at ten dollars

per month

Cr \$3.89

1860.

April 3rd Walnut Hill Va

Wyley Redmond Dr

to two Bushels of

\$1.00

Dec 24th to 13. lbs of flour at

" 52

Cr By six days work

1.52

2.31

Dr

0.79

The above account settled June 1861

Evan Clouds
acct

A. J. B.

Virginia Lee County to wit

James M. Wheeler made oath before the undersigned
Clerk in chancery of the circuit court of Lee County Va. that
G. B. Bland one of the defendants in a chancery cause now
pending in said court in a suit by Evan Bland Jr. & vs. B. F.
Bland & others is not a resident of the state of Va.

Given under my hand this day of Dec. 1881.

Henry J. Morgan Clerk.

Even blind for

as } Aff'd for Pub.

B.F. John Clark to

#190

Against the 25th day of Decr 1863.
I bind myself to pay Ervan Cloud
~~Two~~ One hundred and ninety Dollars
for Value Recd of him witness my
hand and ~~Signature~~
this 25th Sept 30th 1860 Seced
attest B F Cloud for George W Cloud.

Grammar is a difficult but important

I Credited the within note \$4204 Paid Jan 1st 1860
attes. G B Mc Clelland

Credit on the within note \$120 dollars

OCT The 15 1869

I assign the within in full to which I have
with me 2200 dollars on one with in 12 Equity
24th 2nd 1873 -
G B Mc Clelland

Note due Dec 25 1863. by G. W. Cloud to E. W. Cloud \$190.00

Or January 1 - 1860 by \$42.04

" By Int on Same to Dec 25 1863. 10 03 52 07

Int on Same to Oct 15 1869. 48 20

Credit Oct 15 1869 by 186 13

Int on Same to April 15 1881. 120.00

Bal due April 15 1881 - 66.13

\$111.75

E. W. Blanch

To } note #190-

Evan Blanch

(A)

Malvern Hill March 19th 1880

Lee County Va

Mrs. Henry J. Ferguson

James, Will. Va

Mr. J. Smith these Mrs. Clunas on
last Saturday & we settled our suit
by each party paying his own
cost so have the matter settled
we settled the three a. based & Lm's
no. That matter & 2000 each. Another
\$6000 I thought best to settle
it no. I think they might of
paid more strongly so off. That
is sold or was a. time to aid
& we settled it all Mr. J.
per. They sold of. Son. That I.
will be Mr. at season's end

Respectfully
J. M. Wheeler

J. M. Wheeler

Letter

Referred to in Decree

(A B)

The Commonwealth of Virginia.

To any Justice of the Peace, Notary Public or Commissioner appointed by the Governor
of said State, resident in the State of *Kentucky* authorized to take Depu-
sitions in the County of *Knox* State of *Ky* —GREETING:

Know ye that we, trusting to your fidelity and provident circumspection, do require you, that at such time and place
as you shall appoint, to call and cause to come before you, *G. B. Clond*

Witness on behalf of *Evan Clond for &c*

in a certain *Chancery suit*
pending in the *Circuit* Court of Lee County between *Evan Clond for &c*
Plaintiff and *B. H. Clond et al* Defendant and *him* diligently
examine, touching the same in solemn form on oath or affirmation, and having received *his* examination as aforesaid,
that you distinctly, plainly, and without delay certify, sign, and send the same enclosed into our said Court together with
this Writ. Witness, J. A. G. HYATT, Clerk of our said Court, at the Court House, this the *14th* day of *March*
188 *3*, in the *10⁷* year of the Commonwealth.

J. A. G. Hyatt, Clerk.

I do solemnly swear that *G. B. Clond*
whose name *is* mentioned as witness in the commission above is a non-resident of the State of
Virginia, so help me God.

Sworn to before me this *14th* day of *March* 188 *3*.

J. M. Wheeler
J. A. G. Hyatt, Clerk.

Evan Leland for &c.

vs } Commission

B. F. Leland & others.

George W. Cloud gave his note for a piece of land lying in Claiborne County Tennessee. to Evan Cloud, and he transferred the same without assignment to one G. B. Cloud who assigned the same to Wheeler & Ball.

Before the note was paid, the said G. W. Cloud died leaving a widow Eliza Cloud. B. F. Cloud. John Cloud Alexander Cloud and George Cloud the latter of whom is dead. leaving a widow & children whose names are not known.

The said B. F. Cloud John Cloud and Alexander Cloud received of and from the estate of said George W. Cloud at least \$200.00 and to this extent are liable for the debts of the ancestor.

Evan Cloud G. B. Cloud, and the widow and heirs of George Cloud are not residents of Va.

Whelan & Ball

vs.

B. F.eland & al

Virginia

In the clerk's office of the circuit Court of Lee Co. Va. the 11th day of Jan 1882
Evan Cloud for v.

vs.

B. F. Cloud & others

Plff

In. loby

Defts

The object of this suit is to recover against Thos. S. Ely adm^r of
George W. Cloud dec'd \$190.00 ^{the debt in the his bequest} with interest & costs subject to the credits in
the bill accounting and to compel B. F. Cloud John Cloud and
Alexander Cloud as the heirs of said G. W. Cloud dec'd to pay the
balance due on said debt, on account of assets descended and received
by them from the estate of said G. W. Cloud dec'd. And it appearing
from an affidavit on file in the cause that G. W. Cloud is not a
resident of the state of Va. It is ordered that he appear here
within one month and do what is necessary to protect his interest
in this suit.

J. A. Wyatt

clerk

Evan. Bland for &c

vs } Order Pub.

B. F. Bland pro Bland val

Court's Office Jonesville Va
February 26th 1883.

I will proceed to execute a decree
rendered in the Chancery Cause of
Evan Cloundford vs B. F. Cloundford
at my office in Jonesville on the 14th day
of March 1883. all parties interested
are requested to attend.

Febry 26th 1883.

J. A. G. Hyatt Comr.

Evans Cloud
vs 3 Notice

B. F. Cloud

To 14 day March 1883

Ex parte Dufon J. M.
Whelan vs B. F. Cloud
Thos. S. Ely, L. C.

The Commonwealth of Virginia,

To the Sheriff of Lee County - - - Greeting:

We Command you to Summon

*B. F. Cloud, John Cloud,
Alexander Cloud, and G. B. Cloud and
Thomas S. Ely admr of George W. Cloud dead.*

To appear at the Clerk's office of the Circuit Court of Lee, at the Court-House, on the first Monday in

February next, being rule day to answer a bill in Chancery, exhibited in our said Court against

them by *Evan Cloud, who*
sues for the benefit of James M. Wheeler and
Moses S. Ball, merchants & partners in trade under
the firm name of Wheeler & Ball.

And have then there this writ. Witness JOHN A. G. HYATT Clerk of our said court at the Court-House

this *17th* day of *January* 1882; in the 106. year of the Commonwealth.

J. A. G. Hyatt CLERK,

L & M

1.50
1.50
\$3.00

Evan. Cloud & Co.

vs Spain Chcy.

B. F. Cloud & others

To February Rules 1882

Executed by delivering a
copy of the within to B. F.
Cloud, and one to the widow
of Geo. M. Cloud, for Alexander
Cloud, & explaining the same
to her, he not being at his
usual place of abode,
also one to the wife of
John Cloud, & explaining
the same to her, he not
being at his usual place
of abode, & further accept
the service of a copy my-
self as Advr. of G. M. Cloud
deceased.

Febry 2/1882.

Thos. S. Edg. & Co.
Chd. 14

The Commonwealth of Virginia,

To the Sheriff of Lee County - - - Greeting:

We Command you to Summon

*B. H. Cloud, John Cloud,
Alexander Cloud, and G. B. Cloud.
and Thos. S. Ely Admr, of George W. Cloud decd.*

To appear at the Clerk's office of the Circuit Court of Lee, at the Court-House, on the first Monday in

February next, being rule day to answer a bill in Chancery, exhibited in our said Court against

*Thereto by Evan Cloud who
sues for the benefit of Jas. M. Wheeler and Moses
S. Ball merchants & partners in trade under
the firm names of Wheeler & Ball.*

And have then there this writ. Witness JOHN A. G. HYATT Clerk of our said Court at the Court-House

this *17th* day of *January* 1882; in the *106* year of the Commonwealth.

J. A. G. Hyatt CLERK.

A Copy Leste.

J. A. G. Hyatt

clerk

For
W. B. Cloud

CLERK.

THE SENTINEL

DEMOCRATIC—SUBSCRIPTION, ONE DOLLAR AND FIFTY CENTS A YEAR.

FRED. R. STICKLEY, EDITOR AND PROPRIETOR

VIRGINIA:—In the Clerk's Office of the Circuit Court of Lee County, on Wednesday the 11th day of January, 1882.

Evan Cloud, for &c., Plaintiff, vs. B. F. Cloud and others, Defendants.—In Chancery.

The object of this suit is to recover against Thomas S. Ely, Administrator of George W. Cloud, deceased, \$196.00, the debt in the bill mentioned, and to compel B. F. Cloud, John Cloud, and Alexander Cloud, as the heirs of said George W. Cloud, deceased, to pay the ballance due on said debt, on account of assets decended and received by them from the estate of said George W. Cloud, deceased. And it appearing from an affidavit filed in the cause that G. B. Cloud is not a resident of the State of Virginia, it is ordered that he appear here within one month after due publication of this order and do what is necessary to protect his interest in this suit.

A copy—teste:

J. A. G. HYATT, Clerk

1882.

I hereby Certify
that a Chancery Order of which
the annexed is a copy was printed
—ed four successive weeks in
the "Lee County Sentinel" a week-
ly newspaper published in the
Town of Immerville Lee County
Virginia Publication ending
March 13th 1882

F. R. Stickley
Publisher

Pub. Certificate

Cloud
no 3 in ch
Cloud et al

Free of 5.00